IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2120 OF 2003

Shri Hridaynath Dattatraya
Kadu-Deshmukh ..Petitioner

Vs.

1. Pune Municipal Corportion
and ors. ..Respondents

Mr. S.S. Hardikar for the petitioner.

Mr. V.R. Kasle i/b M/s. Ram & Co. for respondent nos.5 to 20.

CORAM: B.H. MARLAPALLE, J.

Date : June 13, 2006.

P.C.:

. By the order dated 5/3/2003 the learned 6th Additional District Judge, Pune was pleased to allow Misc. Civil Appeal No.41 of 2003 and the order passed by the learned Civil Judge, Junior Division (PMC Court) at Pune below Exh.5 in RCS No.1254 of 2002 on 227/1/2003 was set aside. Consequently, the application for injunction at Exh.5 stood dismissed.

. Obviously, there is no injunction operating against the defendants during the last more than three years and, therefore, there is no warrant to entertain this petition against the interlocutory order.

. If RCS No.1254 of 2002 is still pending before the trial court, its trial is hereby expedited and it is directed that the said suit shall be heard and decided expeditiously and in any case by 31st March, 2007.

. Save and except the above directions, petition is rejected summarily. Writ to go forthwith.

(B.H. Marlapalle,J.)